

REMARKS

In the Office Action, claims 20 and 31 were objected to. In addition, claims 22 and 23 were rejected under 35 U.S.C. § 112, second paragraph as indefinite. Claims 17-20 and 26-31 were rejected under 35 U.S.C. § 102(b) as being anticipated by Turner, U.S. Patent Application No. 2002/0179775 ("Turner"). Claims 17-24, 27 and 32 were rejected under 35 U.S.C. § 102(b) as being anticipated by Hanson et al., U.S. Patent No. 6,296,205 ("Hanson"). Claim 25 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Turner in view of Eiichi, Japanese Patent No. 3 118 300 ("Eiichi").

In this response, claims 17, 20, 22, 24, 27, 31 and 32 have been amended. Claim 21 has been canceled without prejudice. Claim 24 was amended to correct a typographical error. No new matter has been introduced in the amendments. Upon entry of the amendments, claims 17-20, 22-32 will be pending.

Reconsideration of the application in view of the amendments and following remarks is respectfully requested.

Objections to the claims:

Claims 20 and 31 were objected to for informalities. Specifically, claim 20 was objected to for a typographical and a grammatical error. Claim 31 was objected to for a grammatical error. Applicants have amended the claims to correct the informalities as suggested by the Examiner.

Accordingly, withdrawal of the objection to claims 20 and 31 is respectfully requested.

Rejection to claims 22 and 23 under 35 U.S.C. §112, second paragraph:

Claims 22 and 23 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Specifically, the Examiner asserts term “the first position sensor” is not provided with sufficient antecedent basis. Applicants have amended claim 22 to provide proper antecedent basis.

Accordingly, withdrawal of the rejection to claims 22 and 23 is respectfully requested.

Rejection to claims 17-20 and 26-31 under 35 U.S.C. § 102(b):

Claims 17-20 and 26-31 were rejected under 35 U.S.C. § 102(b) as anticipated by Turner.

Turner describes a spacecraft dependent on a non-intrusive servicing vehicle. *See* Abstract. The spacecraft has a data communication interface 100 adapted to interface with a data communication interface of the servicing vehicle. *See* Paragraph [0034].

Independent claim 17 has been amended to include the limitation of now canceled dependent claim 21. Specifically, claim 17 now recites, among other features, “a control module configured to provide a setpoint for an output power of the communication module”. Independent claim 26 also now includes the limitation of dependent claim 21. As inherently admitted by the Examiner, Turner does not describe the feature of a control module as recited in claim 17.

Withdrawal of the rejections to claims 17-20 and 26-31 under 35 U.S.C. § 102(b) as anticipated by Turner is respectfully requested.

Rejection to claims 17-24, 27 and 32 under 35 U.S.C. § 102(b):

Claims 17-24, 27 and 32 were rejected under 35 U.S.C. § 102(b) as anticipated by Hanson.

Hanson describes an inspection satellite deployed in proximity to a target satellite. The inspection satellite includes a monitor system and provides diagnostic information to an earth station to facilitate diagnosis of the target satellite and its equipment. *See* Abstract, col. 3, lines 14-15. A receiving system 260, under the control of a diagnostic control processor 230, provides received emissions from the target satellite to at least one monitor component of the monitor system. *See* col. 3, lines 61-65, Fig. 2.

Independent claim 17 has been amended to include the feature of claim 21 and now includes the recitation of “a control module configured to provide a setpoint for an output power of the communication module”. Support for the amendment is also found in the specification, which describes that the control module provides the setpoint based on a distance between the service vehicle and the target spacecraft and/or a relative orientation of the target spacecraft with respect to the service vehicle. In this way, the target spacecraft is protected from damage resulting from an overly high output power, and a reliable communication may be established between the service vehicle and the target spacecraft over a high range of distances.

Applicants respectfully submit that Hanson does not describe a control module or any other element that can provide a setpoint for an output power of the communication module. By contrast, Hanson describes a diagnostic control processor for directing received emissions from the target satellite. Specifically, Hanson describes that a demodulated waveform can be directed by the diagnostic control processor to a number of analyzers or to a ground station. *See* col. 5, lines 31-36. Nowhere does Hanson describe that the diagnostic control processor can be used to provide a setpoint for an output power of a communication module as asserted by the Examiner. *See* Office Action, Regarding claim 21.

Independent claims 27 and 32 now also include the feature of a control module configured to provide a setpoint for an output power of the communication module.

Withdrawal of the rejections to independent claims 17, 27 and 32, and dependent claims 18-24 under 35 U.S.C. § 102(b) as anticipated by Hanson is respectfully requested.

Rejection to claim 25 under 35 U.S.C. §103(a):

Claim 25 was rejected under 35 U.S.C. § 103(a) as unpatentable over Turner in view of Eiichi.

As a dependent claim is construed to incorporate by reference all the limitations of the claim to which it refers, claim 25 now includes the control module of canceled claim 21. As inherently admitted by the Examiner, the combination of Turner and Eiichi, to the extent proper, does not describe the feature of a control module as included in claim 25.

Withdrawal of the rejection to claim 25 under 35 U.S.C. § 103(a) is respectfully requested.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Respectfully submitted,

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